

OFFICE OF THE ALCOHOLIC BEVERAGE CONTROL COMMISSIONER

The Commissioner anticipates that it may go into executive session at this meeting on items listed. The agenda shall be subjected to the discussion of the items including executive sessions which arise at the time of the public body's meeting. Pursuant to 29 Del. C. Section 10004(b), the Commissioner may call for an executive session closed to the public to obtain legal advice with respect to pending or potential litigation, to discuss criminal records of applicants, and to review financial data. No action is taken during the executive session. All action is taken in open session.

March 24, 2020

Agenda

**Carvel State Office Building
820 North French Street
Wilmington, DE 19801**

**VIOLATIONS
9:30AM**

**Girard Craft and Cork, LLC
T/A Girard Craft and Cork
5 Girard Street
Wilmington, DE 19801**

**Package Store, Sunday
Tasting
15116**

Violation #11489: On Wednesday, November 27, 2019 at approximately 5:18PM, sell an alcoholic beverage to a person under the age of 21.

**ANAMI, LLC
T/A Toll Gate Liquors
3115 Lancaster Avenue
Wilmington, DE 19805**

**Package Store, Sunday
Growler, Tasting
14094**

Violation #11481: On Wednesday, November 27, 2019 at approximately 7:11PM, sell an alcoholic beverage to a person under the age of 21.

**MA SADHI, LLC
T/A Peddler's Liquor Store
1 Peddler's Village
Christiana, DE 19702**

**Package Store, Sunday
14356**

Violation #11482: On Wednesday, November 27, 2019 at approximately 9:40PM, sell an alcoholic beverage to a person under the age of 21.

**Uphill Restaurant, LLC
T/A Maker's Alley
805 North Shipley Street
Wilmington, DE 19801**

**SPR-On, Sunday, Patio
15204**

Violation #11479: On Wednesday, November 27, 2019 at approximately 5:48PM, sell an alcoholic beverage to a person under the age of 21.

**Midnight Brewing, LLC
T/A Midnight Oil Brewing Co.
674 Pencader Drive
Newark, DE 19702**

**Microbrewery, Sunday
15039**

Violation #11442: On October 24, 2019, at approximately 7:55PM did sell an alcoholic beverage to a person under the age of 21.

**Opera Wine of Delaware, LLC
T/A None
216 Webb Street
Wilmington, DE 19805**

**Wholesaler
(Wine/Spirits)
10038**

Violation #11493: On 11/12/2019, at approximately 4:07PM hours engaged in a discriminatory trade practice which could reasonably injure another retailer in violation of rule 908 3.2.1. To wit: You offered a 10% discount to one type of retailer and not another.

**Delaware Crab, LLC
T/A Two Claws
1255 Quintilio Drive
Bear, DE 19701**

**SPR-On, Sunday
15237**

Violation #11486: On October 4, 2019, at approximately 12:04PM did allow the refilling of bottles, either wholly or in part, with the intent to supply alcoholic liquor or any other substance or liquid to any customer.

**CWSR Lounge
T/A CWSR Lounge
1101 East 8TH Street
Wilmington, DE 19801**

**Biennial Gathering
60270**

Violation #10934: On Saturday, January 19, 2019 at 2:10AM, allowed consumption of alcohol at your licensed premises between the hours of 2:00AM and 9:00AM.

Violation #10935: On Saturday, January 19, 2019 at approximately 2:10AM, operate as a Bottle Club without the proper license.

Violation #11072: On Sunday, March 24, 2019 at 1:00AM, served more than 1 drink per person in the last 15 minutes to closing.

Violation #11073: On Sunday, March 24, 2019 at 2:11AM, allowed alcoholic beverages to be consumed on a licensed premise between the hours of 2:00AM and 9:00AM.

Violation #11090: On Sunday, March 24, 2019 at approximately 2:11AM, sell alcoholic beverages between the prohibited hours of 1:00AM and 9:00AM.

**The Robert Smith Corporation
T/A Cheney's on the Pike—Changed to Whiskey Throttle Bar & Grill
1804 Newport Gap Pike
Wilmington, DE 19808**

**SPR-On, Sunday
15072**

Violation #10972: On Saturday, March 9, 2019 at approximately 2:10AM, participate in illegal drug activity on your licensed premises by allowing owner Robert Smith to be in possession of marijuana which is in violation of Delaware Title 16 Section 4764.

Violation #10973: On Saturday, March 9, 2019 at approximately 2:10AM, operate under the unapproved trade name of Whiskey Throttle.

Violation #10974: On March 9, 2019 at approximately 2:10AM, allow patron to consume alcoholic beverage on your licensed premise after 2:00AM.

Violation #10975: On March 9, 2019 at approximately 2:10AM, fail to place all alcoholic liquors in adequate storage facilities out of the reach of patrons.

Violation #10976: On March 9, 2019 at approximately 2:10AM, changed your approved floorplan by removing dining seats and tables.

Violation #11182: From the period of May 1, 2018 through December 31, 2018, fail to have a substantial portion of the establishment's total gross receipts from the sale of complete meals.

1:30PM

**Naamans Management, LLC
T/A Crowne Plaza Wilmington North
630 Naamans Road
Claymont, DE 19703**

**Hotel-On, Sunday,
Patio
14683**

Violation #11550: On Wednesday, January 15, 2020 at approximately 7:42PM, provide an alcoholic beverage to a person under the age of 21.

**Shake Shack Delaware, LLC
T/A Shake Shack
2120 Fashion Center Blvd.
Newark, DE 19702**

**Beer/Wine Restaurant,
Sunday, Patio
14901**

Violation #11251: On Friday, August 2, 2019 at approximately 12:30PM, sell an alcoholic beverage to a person under the age of 21 years.

Violation #11252: On Friday, August 2, 2019 at approximately 12:30PM, fail to have servers properly trained to serve/sell alcoholic beverages in accordance with Delaware State law.

**Bravo Brio Restaurant Group, Inc.
T/A Brio Tuscan Grille
305 Christiana Mall Road
Newark, DE 19702**

**SPR-On, Sunday, Patio
14220**

Violation 11502: On Wednesday, November 27, 2019 at approximately 9:01PM, sell an alcoholic beverage to a person under the age of 21.

**Theater N
T/A
220 W. 9th Street
Wilmington, DE 19801**

**Daily Gathering
51676**

Violation 11477: On Wednesday, November 27, 2019, at approximately 4:55PM, sell an alcoholic beverage to a person under the age of 21.

Deap, LLC
T/A Hockessin Wine & Spirits
633 Yorklyn Road
Hockessin, DE 19707

Package Store, Sunday
Tasting
14058

Violation 11488: On Friday, December 13, 2019 at approximately 6:51PM, sell an alcoholic beverage to a person under the age of 21.

Penza Enterprises, Inc.
T/A Ciao Italian Grill & Pizzeria
200 University Plaza
Newark, DE 19702

SPR-On, Sunday
14045

Violation 11131: On Thursday, June 6, 2019 at approximately 3:00PM, allow William L. Moneta Jr. to operate on behalf of your liquor license.

Navdurga, LLC
T/A Dash Discount Liquors
1142 Elkton Road, Unit 2
Newark, DE 19711

Package Store, Sunday
14880

Violation #11473: On Friday, November 22, 2019 at approximately 9:42AM, purchase more than 20 gallons of an alcoholic beverage from the holder of another retail license.

Violation #11474: On Friday, November 22, 2019 at approximately 10:42AM, transport alcoholic beverages from J's Liquors to Dash Discount Liquors without permission from the Commissioner to do so.

Violation #11475: On Friday, November 22, 2019, at approximately 11:33AM, have unauthorized product on your licensed premise, which was not purchased pursuant to Title 4, in excess of 20 gallons.

Legend Enterprises, LLC
T/A Cool J's Premium Water Ice
1857 Pulaski Highway
Bear, DE 19701

Cabaret, Sunday
15045

Violation #11334: On April 1, 2019 at approximately 5:00PM, did fail to renew your liquor license with the State of Delaware Office of Alcohol Beverage Control Commissioner. License was renewed on June 28th, 2019- 88 days late.

**Maharaj Ji, Inc.
T/A Milton's Liquors
2300 Market Street
Wilmington, DE 19802**

**Package Store, Sunday
14918**

Violation #11377: On Friday, October 4th, 2019 at approximately 2:05PM, have for sale impure or otherwise deleterious alcoholic beverages.

**Southern Glazer's Wine & Spirits of DE, LLC
T/A
615 Lambson Lane
New Castle, DE 19720**

**Wholesaler
(Beer/Wine/Spirits)
10002**

Violation #11559: On Thursday, January 23, 2020 at approximately 9:49AM, have for sale impure or otherwise deleterious alcoholic beverages.

**PROTESTED APPLICATIONS
5:00PM**

**Celebrations Catering, Inc.
T/A Zollie's Kitchen @ the Market
340 South Market Street
Wilmington, DE 19801**

**SPR-On, Sunday, Patio
15289**

Reason for Hearing: This applicant has applied for a Restaurant, Sunday and Patio license permitting the sale, service and consumption of alcoholic beverages on the premise where sold. In addition, the applicant has applied for variances to permit external speakers, live entertainment and a wet bar on the patio.